

Adopt Chapter 6.1, Article 1, Section 85100 to read:

CHAPTER 6.1 COMMUNITY CRISIS HOMES

Article 1. GENERAL REQUIREMENTS

85100 GENERAL PROVISIONS

85100

- (a) A Community Crisis Home is governed by the provisions of this chapter, Chapter 1 and Chapter 6.
- (b) Each Community Crisis Home shall be licensed as an Adult Residential Facility and certified by the Department of Developmental Services in accordance with Section 85118 and Health and Safety Code section 1567.81(a).
- (c) A Community Crisis Home shall maintain a facility file as required by the California Code of Regulations, Title 17, Section 59011.
  - (1) The facility file shall be immediately available upon request of the licensing agency and must be the original or a facsimile of the original. A facsimile is an exact copy of the original.
    - (A) In the event the Licensing Program Analyst requests a physical copy, whether electronic or paper, the copy shall be a facsimile.

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California Code of Regulations, Title 17, Section 59011 provides in pertinent part:

Facilities shall maintain a facility file, available on site, which may include electronic records, that includes at least the following:

- (a) Facility program plan;
- (b) Weekly staff schedules;
- (c) Personnel records including:
  - (1) Administrator current credentials, degrees, certificates;
  - (2) Direct Care and lead staff current credentials, degrees, certificates;
  - (3) Qualified Behavior Modification Professional current credentials, degrees, certificates;
  - (4) Documentation of completed staff training, including a log of the hours per employee;

- (5) Hire and separation dates;
- (d) Emergency intervention plan;
- (e) Certificate of program approval as issued by the Department;
- (f) Regional center facility liaison monitoring;
- (g) Regional center qualified behavior modification professional monitoring;
- (h) Behavior and emergency intervention data collection and reporting, including the requirements of Section 4659.2 of the Welfare and Institutions Code;
- (i) Findings of immediate danger;
- (j) Substantial inadequacies;
- (k) Corrective action plans;
- (l) Sanctions; and
- (m) Facility appeals.

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Authority cited: Sections 1530, 1567.81 and 1567.87, Health and Safety Code.

Reference: Sections 1180.3, 1501, 1502, 1530, 1531 and 1567.81, Health and Safety Code.

Adopt Section 85101 to read:

85101      DEFINITIONS

85101

In addition to Sections 80001 and 85001, the following shall apply:

- (a) (1) "Assistant Behavior Analyst" means an individual who assesses the function of a behavior of a client and designs, implements, and evaluates instructional and environmental modifications to produce socially significant improvements in the client's behavior through skill acquisition and the reduction of behavior, under supervision of a Behavior Analyst. Assistant Behavior Analysts engage in descriptive functional assessments to identify environmental factors of which behavior is a function. An Assistant Behavior Analyst is recognized by the national Behavior Analyst Certification Board as a Board Certified Assistant Behavior Analyst.
- (2) "Authorized Consumer Representative" shall have the same meaning as California Code of Regulations, Title 17, Section 59000. An Authorized Consumer Representative shall not have the same meaning as authorized representative as defined by Section 80001(a)(7).

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California Code of Regulations, Title 17, Section 59000 provides in pertinent part:

- (c) "Authorized Consumer Representative" means the parent, or guardian of a minor, conservator of an adult, or person who is legally entitled to act on behalf of the consumer.

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- (b) (1) "Behavior Analyst" means an individual who assesses the function of a behavior of a client and designs, implements, and evaluates instructional and environmental modifications to produce socially significant improvements in the client's behavior through skill acquisition and the reduction of behavior. Behavior Analysts engage in functional assessments or functional analyses to identify environmental factors of which behavior is a function. A Behavior Analyst is recognized by the national Behavior Analyst Certification Board as a Board Certified Behavior Analyst.
- (c) (1) "Client" shall be considered a "consumer" and shall have the same meaning as Health and Safety Code section 1567.80(a).

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Health and Safety Code section 1567.80 provides in pertinent part:

- (a) "Consumer" or "client" means an individual who has been determined by a regional center to meet the eligibility criteria of subdivision (a) of Section 4512 of the Welfare and Institutions Code and applicable regulations and for whom the regional center has accepted responsibility.

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- (2) "Community Crisis Home" means an Adult Residential Facility certified by the Department of Developmental Services and licensed by the Department that provides 24-hour nonmedical care to individuals with developmental disabilities receiving regional center services and in need of crisis intervention services, who would otherwise be at risk of admission to a more restrictive setting. A Community Crisis Home shall have a maximum capacity of eight clients. A Community Crisis Home is eligible for and must meet all the requirements for vendorization as a residential facility by a regional center pursuant to the requirements of California Code of Regulations, Title 17, Division 2, Chapter 3, Subchapter 2.
- (3) "Consultant" shall have the same meaning as the California Code of Regulations, Title 17, Section 59000.

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California Code of Regulations, Title 17, Section 59000 provides in pertinent part:

- (f) "Consultant" means an individual or group eligible for vendorization in accordance with Sections 54319 and 54342, and qualified by training, education, and/or experience that provides a service integral to a consumer's individual behavior supports plan, as identified by the individual behavior supports team.

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- (4) "Crisis Intervention Services" means additional assessment, staffing, supervision, and other intensive services and supports to immediately address a consumer's urgent or emergent abrupt onset of a behavioral or other needs, which are beyond what is typically available in other community living arrangements. These services shall facilitate transition to a less restrictive community environment.
- (d) (1) "Direct Care Staff" means facility staff who personally provide direct supervision and special services to clients.
- (A) Direct supervision and special services shall include "care and supervision" as defined in Title 22, California Code of Regulations, Section 80001(c)(3).

(e) through (g) (Reserved)

- (h) (1) "Health Care Professional" means a licensed registered nurse, nurse practitioner,

physician assistant and/or a medical doctor, contracted or hired by the facility.

- (i) (1) "Individual Behavior Supports Plan" means the plan that identifies and documents the intensive support and service needs of a client; details the strategies to be employed and services to be provided in order for the client to return to their previous placement or to an appropriate alternative community based environment; and includes the entity responsible for providing those services. This plan includes the requirements of Health and Safety Code section 1180.4(a).
- (2) "Individual Behavior Supports Team" means those individuals who participate in the development, revision, and monitoring of the individual behavior supports plan for clients residing in a Community Crisis Home. The Individual Behavior Supports Team shall be composed of the individuals listed in Title 17, California Code of Regulations, Section 59000(t).

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California Code of Regulations, Title 17, Section 59000(t) provides in pertinent part:

- 1) The team shall, at a minimum, be composed of the following individuals:
  - (A) Consumer and, where applicable, authorized consumer representative;
  - (B) Regional center service coordinator and other regional center representatives, as necessary;
  - (C) Community Crisis Home administrator;
  - (D) Regional center clients' rights advocate, unless the consumer objects on his or her own behalf to participation by the clients' rights advocate; and
  - (E) Community Crisis Home Qualified Behavior Modification Professional.
- 2) The team may also include:
  - (A) Regional center's mobile crisis team;
  - (B) Representative(s) from the consumer's prior residence and/or identified alternative future community-based residential setting, as applicable;
  - (C) Health Care Professional; and
  - (D) Any individual(s) deemed necessary by the consumer, or, where applicable, his or her authorized consumer representative, if any,

for developing a comprehensive and effective individual behavior supports plan.

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- (3) "Individual Program Plan" (IPP) shall have the same meaning as California Code of Regulations, Title 17, Section 59000.

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California Code of Regulations, Title 17, Section 59000 provides in pertinent part

- (u) "Individual Program Plan" (IPP) means a written plan that is developed by a regional center planning team, in accordance with the provisions of Sections 4646 and 4646.5 of Welfare and Institutions Code.

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(j) through (o) (Reserved)

- (p) (1) "Planning Team" shall have the same meaning as the California Code of Regulations, Title 17, Section 59000.

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California Code of Regulations, Title 17, Section 59000 provides in pertinent part

- (v) "Planning Team" refers to the planning team defined in subdivision (j) of Section 4512 of the Welfare and Institutions Code, which develops and reviews a consumer's IPP through the planning process described in Sections 4646 and 4646.5 of the Welfare and Institutions Code.

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(q) (Reserved)

- (r) (1) "Registered Behavior Technician" means an individual who is primarily responsible for the direct implementation of skill-acquisition and behavior-reduction plans, and practices under the close, ongoing supervision of a Behavior Analyst as defined in (b) or Assistant Behavior Analyst as defined in (a). The Registered Behavior Technician may also collect data and conduct certain types of assessments, but may not design intervention or assessment plans. A Registered Behavior Technician is recognized by the national Behavior Analyst Certification Board as a Board Certified Registered Behavior Technician.

(s) through (z) (Reserved)

Authority cited: Section 1530 and 1567.87, Health and Safety Code.

Reference: Sections 1501, 1502, 1531, 1567.80 and 1567.82, Health and Safety Code.

Adopt Chapter 6.1, Article 3, Section 85118 to read:

Article 3. APPLICATION PROCEDURES

85118      APPLICATION FOR LICENSURE

85118

In addition to Sections 80018 and 85018, the following shall apply:

- (a) A Community Crisis Home shall not be licensed by the Department until the Certificate of Program Approval, granted by the Department of Developmental Services, has been received in accordance with Health and Safety Code section 1567.81.

Authority cited: Section 1530 and 1567.87, Health and Safety Code.

Reference:      Sections 1501, 1502, 1530, 1531 and 1567.81, Health and Safety Code.



Adopt Section 85120 to read:

85120      FIRE CLEARANCE

85120

- (a) A Community Crisis Home shall ensure a state fire marshal approved operable automatic fire sprinkler system is installed and maintained.
- (b) A Community Crisis Home shall ensure a minimum of 50 percent of its bedrooms are approved by the State Fire Marshal or local fire department for use by non-ambulatory clients.

Authority cited:    Section 1530 and 1567.87, Health and Safety Code.

Reference:            Sections 1501, 1502, 1530, 1531 and 1567.81, Health and Safety Code.

Adopt Section 85122 to read:

85122      PLAN OF OPERATION

85122

In addition to Sections 80022 and 85022, the following shall apply:

- (a) The applicant shall submit a facility program plan to the Department of Developmental Services for approval and shall submit the approved plan to the Department of Social Services. The facility program plan shall be included in the plan of operation, which shall be approved by the Department of Social Services prior to licensure in accordance with Health and Safety Code section 1567.84.
- (b) The facility program plan shall fulfill the requirements of California Code of Regulations, Title 17, Section 59002.

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California Code of Regulations, Title 17, Section 59002 provides in pertinent part:

- (a) An applicant for Community Crisis Home certification shall develop a facility program plan that includes the following:
  - (1) Number of consumers to be served;
  - (2) Consumer admission criteria and procedures;
  - (3) A description of how the facility will ensure that appropriate services and supports are provided at the time of admission to meet the consumer's immediate needs pending update of the individual behavior supports plan, including emergency interventions and including admission of consumers with restricted health care conditions as referenced in Title 22, California Code of Regulations, Section 80092 and 80092.1.
  - (4) A description of how the facility is going to meet all the diverse needs of the population and expedite the admission of all consumers.
  - (5) An organizational chart for the staff in the facility and, if applicable, for the organization;
  - (6) A description of consumer services to be provided, including instructional methods and techniques to be utilized;
  - (7) A description of how the licensee will ensure all direct care staff and consultants are competent to perform their assigned duties, including but not limited to:

- (A) A description of the consultant disciplines, qualifications, and hours to be utilized;
- (B) A description of staff qualifications and a duty statement for each staff position;
- (C) A sample staff schedule;
- (D) Staff training plan;
- (8) A description of the facility's emergency procedures, including but not limited to:
  - (A) The facility's emergency evacuation procedures, including procedures for evacuation when delayed egress and secure perimeters are in use pursuant to Sections 56068 through 56074, if permitted;
  - (B) The type, location, and approximate response time of emergency medical services;
  - (C) A description of how regularly scheduled fire and earthquake drills will be conducted on a schedule of no less than every three months, with the drills conducted on alternating work shifts so that drills are conducted during the day and evening hours;
  - (D) The emergency intervention plan.
- (9) An explanation of how the Community Crisis Home will ensure the protection of consumers' personal rights, including those specified in Sections 50500-50550;
- (10) The methodology used to measure consumer progress which includes:
  - (A) Types of data to be collected and reported, including all required by current statute;
  - (B) Data collection systems;
  - (C) Frequency of data collection; and
  - (D) Methods and intervals for summarizing data and reporting on progress made.
- (11) Consumer exit criteria;
- (12) A description of the proposed facility, including size, layout, and location;

(13) A description of the facility's continuous quality improvement system, including but not limited to how:

(A) Consumers will be supported to make choices including community integration;

(B) Consumers will be supported to exercise rights;

(C) Changing needs of consumers will be addressed;

(D) Consumers will receive prompt and appropriate routine and specialized medical services;

(E) Individual risk is managed and mitigated;

(G) Medication is safely managed and documented; and

(H) Staff turnover is mitigated.

(14) The identification of a 24 Hour crisis intervention team and transportation plan that will be utilized by the facility as defined in Section 4648(a)(10) of the Welfare and Institutions Code.

(b) The facility program plan shall include the date and signature of the applicant.

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(c) A Community Crisis Home shall include in the Plan of Operation a copy of the Department of Developmental Services' Certificate of Program Approval as required by the California Code of Regulations, Title 17, Section 59003.

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California Code of Regulations, Title 17, Section 59003 provides in pertinent part:

(d) The certificate of program approval must be included in the plan of operation submitted to the Department of Social Services by the applicant.

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Authority cited: Sections 1530, 1567.84 and 1567.87, Health and Safety Code.

Reference: Sections 1501, 1502, 1530, 1531 and 1567.84, Health and Safety Code.

Adopt Section 85140 to read:

85140      DENIAL OF INITIAL LICENSE

85140

In addition to Section 80040, the following shall apply:

- (a) A Community Crisis Home shall be denied a license if the Department of Developmental Services' Certificate of Program Approval has not been submitted to the Department with the license application, in accordance with Health and Safety Code section 1567.81(b) and (c).

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Health and Safety Code section 1567.81 provides in pertinent part:

- (b) A certificate of program approval issued by the State Department of Developmental Services, pursuant to Article 8 (commencing with Section 4698) of Chapter 6 of Division 4.5 of the Welfare and Institutions Code, shall be a condition of licensure for the community crisis home by the State Department of Social Services.
- (c) A community crisis home shall not be licensed by the State Department of Social Services until the certificate of program approval, issued by the State Department of Developmental Services, has been received.

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Authority cited: Section 1530 and 1567.87, Health and Safety Code.

Reference: Sections 1501, 1502, 1530, 1531 and 1567.81, Health and Safety Code.

Adopt Chapter 6.1, Article 4, Section 85142 to read:

Article 4. ADMINISTRATIVE ACTIONS

85142 REVOCATION OR SUSPENSION OF A LICENSE

85142

In addition to Section 80042, the following shall apply:

- (a) The Department shall revoke the Community Crisis Home's license when the Department of Developmental Services has decertified the Community Crisis Home's Certificate of Program Approval, in accordance with Health and Safety Code Section 1524(i) and 1567.86(a) and (b), and California Code of Regulations, Title 17, Section 59001.

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Health and Safety Code section 1524 provides in pertinent part:

A license shall be forfeited by operation of law when one of the following occurs:

- (i) When the certificate of program approval issued by the State Department of Developmental Services, pursuant to Article 8 (commencing with Section 4698) of Chapter 6 of Division 4.5 of the Welfare and Institutions Code, to a licensee of a community crisis home, licensed pursuant to Article 9.7 (commencing with Section 1567.80), is rescinded.

Health and Safety Code section 1567.86 provides in pertinent part:

- (a) The State Department of Social Services shall revoke the community crisis home's facility license if the State Department of Developmental Services has rescinded a community crisis home's certificate of program approval.
- (b) The State Department of Developmental Services and regional centers shall provide the State Department of Social Services all available documentation and evidentiary support necessary for the licensing and administration of community crisis homes and enforcement of this article and the applicable regulations.

California Code of Regulations, Title 17, Section 59001 provides in pertinent part:

- (b) The Department may decertify a Community Crisis Home that it determines is not in compliance with applicable laws or when it cannot ensure the health and safety of consumers. The Department shall inform the Department of Social Services of any decision to decertify a facility on the same day.

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Authority cited: Section 1530 and 1567.87, Health and Safety Code.

Reference: Sections 1501, 1502, 1524, 1531 and 1567.86, Health and Safety Code.

Adopt Chapter 6.1, Article 6, Section 85164 to read:

Article 6. CONTINUING REQUIREMENTS

85164 ADMINISTRATOR CERTIFICATION AND QUALIFICATIONS

85164

In addition to Sections 80064 and 85064, the following shall apply:

- (a) An administrator for a Community Crisis Home shall also meet the following qualifications, pursuant to the California Code of Regulations, Title 17, Section 59004:
  - (1) Have a minimum of 2 years of prior experience providing direct care or supervision to individuals with developmental disabilities; and be one of the following:
    - (A) A registered behavior technician
    - (B) A licensed psychiatric technician
    - (C) A qualified behavior modification professional as defined by Section 89901
- (b) An administrator must complete the Residential Services Orientation, in accordance with California Code of Regulations, Title 17, Section 56003.

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California Code of Regulations, Title 17, Section 56003 provides in pertinent part:

- (b) The administrator shall complete the residential services orientation:
  - (1) Before the admission of the first regional center consumer; or
  - (2) When two or more years have elapsed since he/she last served as an administrator.

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Authority cited: Section 1530 and 1567.87, Health and Safety Code.

Reference: Sections 1501, 1502, 1531 and 1567.82, Health and Safety Code.



Adopt Section 85165 to read:

85165 PERSONNEL REQUIREMENTS

85165

In addition to Sections 80065 and 85065, the following shall apply:

- (a) The licensee shall ensure and maintain documentation in the personnel file verifying that each direct care lead staff person meets the following qualifications:
  - (1) Have a minimum of twelve months prior experience providing direct care to individuals with developmental disabilities with challenging behavior service needs and;
  - (2) Become a Registered Behavior Technician within 60 days of initial employment, or be a qualified behavior modification professional upon employment.
- (b) The licensee shall ensure and maintain documentation in the personnel file verifying that each direct care staff person meets the following qualifications:
  - (1) Have a minimum of six months prior experience providing direct care to individuals with developmental disabilities who have challenging behavior service needs and;
  - (2) Become a registered behavior technician within twelve months of initial employment, or be a qualified behavior modification professional upon employment.
- (c) There shall be at least one direct care lead staff person and one direct care staff person on duty at all times when a client is under the supervision of the facility staff. Staffing beyond this minimum is determined by the client's individual behavior supports team and is reflected on the approved DS 6024 form, as required by California Code of Regulations, Title 17, Section 59006.
- (d) Direct care staff who have not completed the on-site orientation and training as required by California Code of Regulations, Title 17, Section 59007 shall be under the direct supervision and observation of a fully trained direct care lead staff person while caring for clients, and shall not be permitted to be alone with clients.
- (e) The facility administrator shall assign a qualified behavior modification professional to the client. The client shall receive a minimum of 6 hours per month of time for behavior consultation, which includes review and implementation of behavior assessments and behavior interventions, by a qualified behavior modification professional. Time utilized will be documented in the client file.
- (f) Each Community Crisis Home shall have an administrator present and on duty a minimum of 20 hours per week per facility to ensure the effective operation of the facility.

- (g) In addition to the hours required in subsection (e), the facility administrator shall ensure a provision of a minimum of 6 consultant hours per month per client, which shall be appropriate to meet individual client service needs.
- (h) In addition to any other required training, within the first 40 hours of employment, all direct care staff shall complete a minimum of 32 hours of on-site orientation. The on-site orientation includes the training required pursuant to Section 80065(f) as applicable to the facility's licensure type, and shall also address the following:
  - (1) The specialized needs of the client;
  - (2) An overview of primary and secondary diagnoses, including but not limited to:
    - (A) Developmental disability
    - (B) Mental illness/mental health
    - (C) Substance use and abuse
  - (3) Clients' rights and protections pursuant to California Code of Regulations, Title 17, Sections 50500-50550 and Title 22 sections as follows:
    - (A) Sections 80072 and 85072 for Community Crisis homes licensed as an Adult Residential Facility.
  - (4) The facility's program plan;
  - (5) Implementation of the client's individual behavior supports plan and Individual Program Plan;
  - (6) Health and emergency procedures, including fire safety;
  - (7) The disaster and mass casualty plan required in Section 80023, including emergency evacuation and exit procedures when secured perimeters/delayed egress are in use.
  - (8) Identification and reporting incidents required by Section 80061 and 85061 and of Special Incidents pursuant to California Code of Regulations, Title 17, Section 54327(a) and (b);
  - (9) Identification and reporting of suspected client abuse and neglect; and
  - (10) Assistance to clients with prescribed medications, including required documentation.
- (i) In addition to any other required training, each direct care staff person shall have a minimum of 16 hours of emergency intervention training, which shall include the techniques the licensee will use to prevent injury and maintain safety of clients who are a danger to self or others and shall emphasize positive behavioral supports and techniques that are alternatives to physical restraints, pursuant to Section 85365.

- (j) The licensee shall ensure that a direct care staff person shall not implement emergency intervention techniques until they successfully complete the emergency intervention training as required by Section 85365.
- (k) In addition to any other required training, prior to providing direct client care, the licensee shall ensure that each direct care staff person receive hands-on training in first aid and cardiopulmonary resuscitation.
  - (1) Direct care staff shall maintain current certifications in first aid and cardiopulmonary resuscitation. The administrator shall maintain the certifications in the facility personnel records.
- (l) In addition to any other required training, the licensee shall ensure that each direct care staff person complete the competency-based training prior to or within one year of employment at the Community Crisis Home as required by the California Code of Regulations, Title 17, Section 59007.

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California Code of Regulations, Title 17, Section 59007 provides in pertinent part:

- (e) The administrator shall ensure that direct care staff shall complete the competency-based training required by Sections 4695.2(a) and (d) of the Welfare and Institutions Code and, pursuant to Section 56033 (b)-(g)(i). Direct Care Staff shall successfully complete both segments of the competency-based training and passage of the competency test, or pass the challenge test, prior to or within one year of employment at the Community Crisis Home.

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- (m) In addition to any other required training, direct care staff shall complete a minimum of 20 hours of continuing education on an annual basis covering, but not limited to, the subjects specified in Section 85165(h):
  - (1) Additional continuing education shall be required, as necessary, to ensure the continued health and safety of the client.
  - (2) Successful completion of the competency-based training and passage of the competency test required by the California Code of Regulations, Title 17, Section 59007(e) shall satisfy the direct care staff continuing education requirements specified in Sections 85165(m) through (m)(1) for the year in which the training at California Code of Regulations, Title 17, Section 59007 is satisfactorily completed.
- (n) The licensee shall ensure that a direct care staff person renew the emergency intervention training annually.

- (o) The training hours required to maintain certification or licensure, as required in Section 85164 and Section 85165(a) and (b) may be utilized to meet fifty percent of the continuing education hours required in Section 85165(m) when the subject matter is related to the population served for the year in which the training is satisfactorily completed.

Authority cited: Sections 1530, 1567.82 and 1567.87, Health and Safety Code.

Reference: Sections 1501, 1531, 1562 and 1567.82, Health and Safety Code.

Adopt Section 85168.1 to read:

85168.1 INTAKE ADMISSION PROCEDURES

85168.1

In addition to Section 85068.1, the following shall apply:

- (a) The licensee shall conduct and document an initial assessment of a client prior to or within 24 hours of admission to the facility.
  - (1) With the exception of the time frame in Section 85168.1(a) above, the initial assessment shall be developed pursuant to Section 85068.2(b)(1)(G).
- (b) Notwithstanding Section 85068.1(c), prior to or within 24 hours of accepting a client for care and supervision, the licensee shall:
  - (1) Interview the prospective client, and his/her own authorized representative, if any.
    - (A) The interview shall provide the prospective client with information about the facility, including the information contained in the Admission Agreement and any additional policies and procedures, house rules, and activities.

Authority cited: Section 1530 and 1567.87, Health and Safety Code

Reference: Section 1180.4, 1501, 1502, 1531 and 1567.81, Health and Safety Code.

Adopt Section 85168.2 to read:

85168.2      NEEDS AND SERVICES PLAN

85168.2

In addition to Sections 80068.2 and 85068.2, the following shall apply:

- (a)    The facility administrator is responsible for coordinating the development and subsequent updating of the client's Individual Behavior Supports Plan.
- (b)    The licensee shall ensure the client's Individual Behavior Supports Plan include all the applicable requirements established in Title 17, Division 2, Chapter 3, Subchapter 23, Section 59009 and 59010.

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California Code of Regulation, Title 17, Section 59009 provides in pertinent part:

- (e)    Within 7 days of admission:
  - (1)    The administrator shall ensure completion of additional assessments or referrals, which must include, but not be limited to:
    - (A)    Consultation with the previous provider, if applicable;
    - (B)    Consultation with family or responsible party;
    - (C)    Identification of the potential consultants and resources needed by the crisis home, to ensure the consumer's needs are met and goals are attainable;
    - (D)    When applicable:
      - (1)    A behavioral health evaluation;
      - (2)    A substance use disorder evaluation;
      - (3)    A thorough medical evaluation; and
      - (4)    A dental consult.
  - (2)    The administrator, with input from the individual behavior supports team, shall ensure completion of a written individual behavior supports plan.
- (f)    The administrator, with input from the individual behavior supports team, shall ensure weekly review of the written individual behavior supports plan update the plan as indicated.

California Code of Regulation, Title 17, Section 59010 provides in pertinent part:

- (c) Individual behavior supports team members shall provide their input for inclusion in the updated individual behavior supports plan within 7 days of the consumer's admission.
- (d) The consumer's individual behavior supports plan must be function-based, evidence-based, and target functionally equivalent replacement behaviors, address the consumer's individual needs, and include a description of the following:
  - (1) Baseline of behaviors, needs or skill level;
  - (2) Target behaviors, skills and attainable goals;
  - (3) Function of behaviors;
  - (4) Desired outcomes and replacement behaviors;
  - (5) Intervention strategies, including antecedent strategies, instructional strategies and consequence strategies;
  - (6) Entity responsible;
  - (7) Environmental changes;
  - (8) Timelines/review dates;
  - (9) Data collection/monitoring progress/evaluation methods;
  - (10) A written plan of transition to return to the previous placement or another appropriate community placement; and
  - (11) Emergency interventions that may be necessary.
- (e) The facility administrator shall submit the individual behavior supports plan and any updates to the vendoring and/or placing regional center service coordinator and, unless the consumer objects on his or her own behalf, to the clients' rights advocate.

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- (c) Notwithstanding 85368.2(a), the licensee of a Community Crisis Home shall develop an individual emergency intervention plan for the client prior to admission. In the event the client is in crisis and cannot participate in the development of the individual emergency intervention plan, the licensee shall utilize any relevant documentation, including but not limited to previous behavior plans or client assessments provided by the regional center, to

complete the individual emergency intervention plan prior to admission. The licensee shall ensure the client's input is included in the individual emergency intervention plan as soon as possible and within 24 hours of admission.

- (1) The individual emergency intervention plan shall be based on the initial assessment as required in Section 85168.1(a). In the event that the provisions of the Individual Emergency Intervention Plan are addressed in the Individual Behavior Supports Plan required by California Code of Regulations, Title 17, Section 59010, and within the time frame required by Section 85168.2(c), the licensee shall not be required to complete a separate or additional Individual Emergency Intervention Plan for the client.
- (d) Notwithstanding 85068.2(b)(1)(G), the licensee shall document the results of the initial assessment of the client, conducted pursuant to Health and Safety Code section 1180.4(a) as soon as possible and within 24 hours of admission.

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Health and Safety Code section 1180.4 provides in pertinent part:

- (a) A facility described in subdivision (a) of Section 1180.2 or subdivision (a) of Section 1180.3 shall conduct an initial assessment of each person prior to placement decision or upon admission to the facility, or as soon thereafter as possible. This assessment shall include input from the person and from someone whom he or she desires to be present, such as a family member, significant other, or authorized representative designated by the person, and if the desired third party can be present at the time of admission. This assessment shall also include, based on the information available at the time of initial assessment, all of the following:

  - (1) A person's advance directive regarding de-escalation or the use of seclusion or behavioral restraints.
  - (2) Identification of early warning signs, triggers, and precipitants that cause a person to escalate, and identification of the earliest precipitant of aggression for persons with a known or suspected history of aggressiveness, or persons who are currently aggressive.
  - (3) Techniques, methods, or tools that would help the person control his or her behavior.
  - (4) Preexisting medical conditions or any physical disabilities or limitations that would place the person at greater risk during restraint or seclusion.
  - (5) Any trauma history, including any history of sexual or physical abuse that the affected person feels is relevant.

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(e) Notwithstanding 85068.2(b), if the client is to be admitted, then prior to or within 24 hours of admission, the licensee shall complete a written Needs and Services Plan, which shall include:

(1) The client's desires and background, obtained from the client, the client's family or his/her authorized representative, if any, and licensed professional, where appropriate, regarding the following:

(A) Entrance to the facility.

(B) Specific service needs, if any.

(C) The written medical assessment specified in Section 80069.

(D) Mental emotional functioning.

(E) The written mental health intake assessment, if any, specified in Section 85069.3.

(F) The written functional capabilities assessment specified in Section 80069.2.

(2) Facility plans for providing services to meet the individual needs identified above.

Authority cited: Section 1530 and 1567.87, Health and Safety Code

Reference: Section 1180.4, 1501, 1502, 1531 and 1567.81, Health and Safety Code.

Adopt Section 85168.4 to read:

85168.4      ACCEPTANCE AND RETENTION LIMITATIONS

85168.4

In addition to Section 85068.4, the following shall apply:

- (a)    Notwithstanding 85068.4(g), there shall be no limitation to the number of clients 60 years of age or older placed in a Community Crisis Home and the age restrictions in Section 85068.4(g) shall not apply to a Community Crisis Home.

  - (1)    If the licensee exceeds the percentages listed in 85068.4(g), the licensee shall include a statement in the needs and services plan stating how the facility will care for the client given the difference in age compared to the other clients.
  - (2)    In no event shall the client be less than 18 years of age in a Community Crisis Home licensed as an Adult Residential Facility.

Authority cited:    Section 1530 and 1567.87, Health and Safety Code

Reference:           Sections 1501, 1531 and 1567.81, Health and Safety Code.

Adopt Section 85170 to read:

85170      CLIENT RECORDS

85170

In addition to Sections 80070 and 85070, the following shall apply:

(a) The licensee shall ensure the client records include the following:

- (1) Medical assessment required in the California Code of Regulations, Title 17, Section 59009;
- (2) Individual Behavioral Supports Plan, updated as necessary;
- (3) Individual Emergency Intervention Plan, updated as necessary, unless the Individual Behavior Supports Plan meets the requirements of Section 85168.2(c)(1);
- (4) Emergency contact information;
- (5) Current Individual Program Plan;
- (6) Special incident reports, pursuant to the California Code of Regulations, Title 17, Section 54327.
- (7) Data collection, including but not limited to progress notes, professional/consultant visits, intervention/outcomes; and
- (8) Record of medications administered, including initials of staff providing assistance.

Authority cited: Section 1530 and 1567.87, Health and Safety Code

Reference: Section 1501, 1531 and 1567.81, Health and Safety Code.

Adopt Chapter 6.1, Article 7, Section 85187 to read:

Article 7. PHYSICAL ENVIRONMENT

85187 BUILDINGS AND GROUNDS

85187

In addition to Sections 80087 and 85087, the following shall apply:

- (a) The licensee shall ensure the client has his or her own private bedroom as required by the California Code of Regulations, Title 17, Section 59001.

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California Code of Regulations, Title 17, Section 59001 provides in pertinent part:

- (d) Each consumer must be provided with his or her own private bedroom.

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Authority cited: Section 1530 and 1567.87, Health and Safety Code

Reference: 1501, 1531 and 1567.81, Health and Safety Code.

Adopt Chapter 6.1, Article 10, Section 85190 to read:

Article 10. EMERGENCY INTERVENTIONS

85190      PROVISIONS FOR EMERGENCY INTERVENTION

85190

- (a) A Community Crisis Home licensed as an Adult Residential Facility shall be subject to the California Code of Regulations Title 22, Chapter 6, Subchapter 1 unless otherwise specified.
- (b) If the Department determines that urgent action is necessary to protect a client residing in a Community Crisis Home from physical or mental abuse, abandonment, or any other substantial threat to their health and safety, the Department shall notify the Department of Developmental Services in accordance with Health and Safety Code section 1567.83.

Authority cited: Section 1530 and 1567.87, Health and Safety Code.

Reference: Sections 1180, 1501, 1531, and 1567.83, Health and Safety Code.